THE VIRGINIA GAZETTE, & GENERAL ADVERTISER

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NUMBER 990.] WEDNESDAY, APRIL 14, 1802. [VOLUME XVI.

RICHMOND, March 25, 1802.

MY CLIENTS in the Henrico District Court will address their communications to myself, or my son Mr. PEYTON RANDOLPH, who has commenced the Practice of the Law. We shall unite in any business depending there, in which either of us may be employed.

EDM: RANDOLPH.

JUST RECEIVED,

And for Sale by the Subscriber,

A FRESH ASSORTMENT OF

Dutch Bolting Cloths.

J. Darmstadt.

Richmond, April 1st, 1802.

THE different PARISHES are hereby notified, That Tuesday the 4th of May next, is the time of holding the Annual Convention of the Episcopal Church As business highly interesting requires the attention of the Members and Friends of the Church, it is hoped the Parishes will spare no exertion in sending forward their Deputies.

By desire of the Bishop,

JOHN BUCHANAN, Treasurer to the Prot. Epi. Church.

April 5, 1802.

NOTICE.

In the case of EDWARD DOWNING & THOMAS DOWNING, *Bankrupts.*

THE COMMISSIONERS under a commission of Bankrupt, awarded and issued forth against Edward Downing and Thomas Downing, late Merchants and Co-partners, of the town of Petersburg, intend to meet on the 1st day of May next ensuing, at 11 of the clock in the forenoon of said day, at the office of the *undersigned*, lower end of Bollingbrook street, in the town of Petersburg aforesaid, in order to make a Dividend of the estate and effects of the said Bankrupts; when and where those Creditors who have not already proved their debts, are to come prepared to prove the same, or they will be excluded the benefit of the said Dividend.

By order of the Commissioners and Assignees,

CONRADE WEBB,

Solicitor to the Commission.

COMMISSIONER'S OFFICE, Petersburg, April 1st, 1802. } ep 8t

Joseph Bonnardel,

FROM PARIS,

TEACHER OF THE FRENCH LANGUAGE

Begs leave to offer his services to the Ladies and Gentlemen of Richmond.

HIS terms for attending persons at their own houses three times a week, are five dollars entrance and four dollars per month; but where two or more associate to receive lessons at the same time and place, considerable deductions will be made.

He will receive pupils at his own house, and attend them every day in the week except Saturday, at three dollars entrance, and nine dollars per quarter.

He resides on Shockoe-Hill, next door to Mr. Peter Aubry, Grocer, three doors above Majr. Du-Val's house.

Richmond, March 24, 1802. 8tp.

N. B. He will also teach the SPANISH LANGUAGE on the same terms.

Sales at Auction.

WILL BE SOLD, positively, without reserve, for ready money, on the fourth Thursday in this month, [the 29th instant] on the premises,

12 valuable Lots,

within the inclosure of Mr. Joseph Jackson. An undoubted title will be made.

PROSSER & MONCURE, v. m.

Richmond, April 2, 1802. ep8.

THE SUBSCRIBER

Will receive proposals until the 24th of next month (April) for the execution of the

Carpenter's Work

Of the PUBLIC TOBACCO WAREHOUSE now building in this city.

John Clarke.

Richmond, March 20, 1802. 8t

Notice,

THIS is to forewarn any person from taking assignment of a Note of mine given to Christopher Johnson, near Bent-Creek, in the County of Buckingham, for the sum of twelve pounds, due the 23d of this Month, as the Note was obtained of me in a fraudulent manner, for which I do not mean to pay it.

SAMUEL H. SAUNDERS.

Jefferson Mills, April 5, 1802. 6t

NOTICE.

A GENERAL Meeting of the members of the Dismal Swamp Canal Company, is requested at the Eagle Tavern in Norfolk, on Monday the 17th of May next, on business of importance to the completion of the Canal. Delinquent subscribers are also notified that on Tuesday the 18th of May next, their Shares will be sold, unless they pay before that day their quotas heretofore called for.

Robert Andrews, President.

Thomas Newton,
Aug. Slaughter,
Geo. G. Martin.
Robert Boush, } Directors.

March 29, 1802. ep 4w

NOTICE.

The Subscribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchase of Country Produce.

Should any business be offered in the Commission Line, it will meet due attention from *Thomas Crews*, residing in Lynchburg, and *Will. Long*, here.

Their Office is on the second story above Messrs. ELLIS & ALLAN'S Store.

Will. Long,
Thomas Crews.

Richmond, Jan. 1st, 1802.

Land for Sale.

FIVE Hundred Acres, adjoining the land of John Wickham, esq. in the county of Henrico, distant about 10 or 11 miles from Richmond. One hundred and twenty acres are of the best James River low grounds, eighty acres cleared, part of which is second low grounds, and three hundred acres wood land. Any person purchasing, will have the privilege of sowing wheat in the fall, and possession given next Christmas. One fourth of the purchase money to be paid down, one fourth in 6 months, one fourth in twelve months, and the remaining one fourth in 18 months. If this land is not sold at private sale before the 15th of May next, it will on that day be offered for sale at public auction at the Eagle Tavern in the city of Richmond. Terms may be known by application to Doctor JOHN GRINGAN, in the city of Richmond.

March 24, 1802.

NOTICE!

BY virtue of a Deed of Trust, executed by the late Francis Lockett, sen. dec. for the purpose of securing the payment of a debt therein mentioned, due to Mr. Robert Craig, WILL BE SOLD at public auction, for ready money, on Thursday the 15th of April next, at the house where the said Lockett, dec. lived,

Seven likely Negroes,

(or as many of them as shall be sufficient to satisfy the said debt with the expences of sale, &c.) The sale will commence at 11 o'clock in the forenoon.

W. HALL,
J. HENDRICK.

Manchester, 24th March, 1802. [tds]

☞ The sale of the above Negroes of April, is POSTPONED until the Saturday following, (the 17th ult.) when it certainly take place.

March 30, 1802.

VIRGINIA, Bedford, March 5, 1802.

SIR,

PLEASE to take notice, that at the Post-Office, in the town of Greenock, and Kingdom of Great Britain, on the 16th, 17th, and 18th days of August next, between the hours of 10 in the forenoon, and 4 in the afternoon, and on the two succeeding days, between the same hours, (if needful) I propose to take the depositions of one or more witnesses; that on the 19th, 20th, and 21st of the same month, between the same hours, at the Post Office in Glasgow, in the same Kingdom, I propose to take the depositions of one or more witnesses; and that on the 23d, 24th, and 25th days of the same month, between the same hours, (if needful) I propose to take the depositions of one or more witnesses, in the city of London, at the Virginia Coffee-House, in the same Kingdom, all in the suit which is now depending in the Circuit Court of the United States, for the district of Virginia, wherein you are Administrators and Representatives of the Plaintiffs, and I am Defendant.

I am, Sirs,
Your Humble Servant,
JAMES CALLAWAY,

One of the Defendants in the suit, Dobson, Delora & Walker, vs. Trents and Callaway.

Messrs. Mathew Dobson, and Joshua Dobson, Administrators of John Dobson, dec'd.

Mr. DAVIS,

SIR,

IN publishing the second section of the act for calling in and registering Certificates of the public debt of this state, you will oblige

Your humble servant,

WILLIAM BERKELEY, *Treasurer.*

Treasury Office, March 31, 1802.

SECT. 2. AND *be it further enacted*, That if the holder or owner of any certificate of a debt due from this state, shall not on or before the 1st day of January, one thousand eight hundred and three, make application for a warrant for the interest due thereon, such interest shall cease after that period until the said certificate shall be deposited with the Treasurer as aforesaid. *Provided however*, that nothing herein contained shall be construed to injure or affect the owners or holders of any certificates upon which warrants have been issued since the first day of January one thousand eight hundred and two, but such persons shall be allowed until the first day of January, eighteen hundred and four, to deposit such certificates as aforesaid.

THE SUBSCRIBER,

Offers to Barter an Invoice of 20,000 Dollars worth of well assorted

DRY GOODS,

OF a late Importation, at the first cost, for TOBACCO, at five dollars per hundred, Richmond inspection.

ALSO—SELLING OFF

His well Assorted Stock,

At very reduced prices, for Cash.

Bartlett Still.

Richmond, April 1st, 1802.

Manchester Turnpike Company.

Notice is Hereby Given,

THAT the Stockholders to the said Company are requested to attend at Mr. *Zachariah Brooks'* Tavern in this place on Saturday the 1st of May next, at 11 o'clock, to choose five Directors agreeable to law.

THE MANAGERS.

Manchester, March 24, 1802. 4w.

FOR SALE,

At first cost, a northern built

COACHEE,

And a pair of HARNESS, which has never been used.

THE cause of its sale is, that it is not such a carriage as was directed. It may be seen, and the price known, by applying to the printer of this paper.

Richmond, March 13, 1802.

Dissolution of Partnership.

THE public are hereby notified, that the Partnership in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of

BUCHANAN, DUNLOP, & Co. *In Petersburg,*

DUNLOP, POLLOK, & Co. *In Manchester, and*

ROBERT POLLOK, & Co. *In Richmond,*

Was dissolved, on the 31st day of August last.

Mr. James Dunlop will pay and receive all debts due by and to the concern, at Petersburg, as will Mr. Robert Pollok, those at Richmond and Manchester.

David Buchanan,
per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Petersburg, 8th Oct. 1801.

NOTICE.

ALL those who may have claims against the estate of Frederick Myers, deceased, are hereby informed that I am about to close my account with the said estate; this notice will be plead in bar against any claim or claims that may be brought after the 1st day of May next.

John Coke, Ex'or.

Williamsburg, March 19, 1802.

A FEW COPIES OF

Henning's Justice,

May be had at this Office, and of Mr. Pumfrey, Book-Binder and Stationer.

HOUSE of REPRESENTATIVES OF THE UNITED STATES.

Friday, February 19.

Debate on the bill received from the senate, entitled "An act to repeal certain acts respecting the organization of the courts of the United States."

(CONTINUED.)

(Mr. BAYARD'S *speech continued from our last.*)

I beg pardon of the committee for having consumed so much time upon points little connected with the subject of the debate. Till I heard the honorable member from Virginia yesterday, I was prepared only to discuss the merits of the bill upon which you are called to vote. His preliminary remarks were designed to have an effect which I deemed it material to endeavour to counteract, and I therefore yielded to the necessity of pursuing the course he had taken, though I was conscious of departing very far from the subject before the committee. To the discussion of that subject I now return with great satisfaction, and shall consider it under the two points it naturally presents; the constitutionality and the expediency of the measure. I find it most convenient to consider first, the question of expediency, and shall therefore beg permission to invert the natural order of the enquiry.

To shew the inexpediency of the present bill, I shall endeavour to prove the expediency of the judicial law of the last session. In doing this it will be necessary to take a view of the leading features of the pre-existing system, to enquire into its defects, and to examine how far the evils complained of were remedied by the provisions of the late act. It is not my intention to enter into the details of the former system; it can be necessary only to state so much as will distinctly shew its defects.

There existed, sir, a supreme court, having original cognizance in a few cases, but principally a court of appellate jurisdiction. This was the great national court of dernier resort. Before this tribunal questions of unlimited magnitude and consequence both of a civil and political nature received their final decision; and I may be allowed to call it the national crucible of justice, in which the judgments of inferior courts were to be reduced to their elements and cleansed from every impurity. There was a circuit court, composed in each district of a judge of the supreme court and the district judge. This was the chief court of business both of a civil and criminal nature.

In each district a court was established for affairs of revenue and of admiralty and maritime jurisdiction. It is not necessary for the purposes of the present argument to give a more extensive outline of the former plan of our judiciary. We discover that the judges of the supreme court in consequence of their composing a part of the circuit courts, were obliged to travel from one extremity to the other of this extensive country. In order to be in the court house two months in the year they were forced to be upon the road six. The supreme court being the court of last resort, having final jurisdiction over questions of incalculable importance, ought certainly to be filled with men not only of probity, but of great talents, learning, patience and experience. The union of these qualities is rarely, very rarely found in men who have not passed the meredian of life. My Lord Coke tells us no man is fit to be a judge till he has numbered the lucubrations of twenty years. Men of studious habits are seldom men of strong bodies. In the course of things it could not be expected that men fit to be judges of your supreme courts would be men capable of traversing the mountains and wildernesses of this extensive country. It was an essential and great defect in this court, that it required in men the combination of qualities, which it is a phenomenon to find united. It required that they should possess the learning and experience of years and the strength and activity of youth. I may say further, Mr. Chairman, that this court, from its constitution, tended to deterioration and not to improvement. Your judges, instead of being in their closets and increasing by reflection and study their stock of wisdom and knowledge, had not even the means of repairing the ordinary waste of time. Instead of becoming more learned and more capable, they would gradually lose the fruits of their former industry. Let me ask if this was not a vicious construction of a court of the highest authority and greatest importance in the nation. In a court from which no one had an appeal and to whom it belonged to establish the leading principles of national jurisprudence.

In the constitution of this court as a court of last resort, there was another essential defect. The appeals to this court are from the circuit courts. The circuit court consists of the district judge and a judge of the supreme court. In cases where the district judge is interested, where he has been counsel, and where he has decided in the court below, the judge of the supreme court alone composes the circuit court. What then is substantially the nature of this appellate jurisdiction? In truth and practice the appeal is from a member of the court to a body of the same court. The circuit courts are but emanations of the supreme court. Cast your eyes on the supreme court; you see it disappear, and its members afterwards arising in the shape of circuit judges. Behold the circuit judges; they vanish and immediately you perceive the form of the supreme court appearing. There is, sir, a magic in this arrangement which is not friendly to justice. When the supreme court assembles, appeals come from the various circuits of the United States. There are appeals from the decisions of each judge. The judgments of each member pass in succession under the revision of the whole body. Will not a judge while he is examining the sentence of a brother to-day, remember that that brother will sit in judgment upon his proceedings to-morrow? Are the members of a court thus constituted, free from all motive, exempt from all bias which could even remotely influence opinion on the point of strict right; and yet let me ask emphatically, whether this court, being the court of final resort, should not be so constituted, that the world should believe and every suitor be satisfied, that in weighing the justice of a cause nothing entered the scales but its true merits.

Your supreme court, sir, I have never considered as any thing more than the judges of assize sitting in bank. It is a system with which perhaps I should find no fault, if the judges sitting in bank did not exercise a final jurisdiction. Political institutions should be so calculated as not to depend upon the virtues, but to guard against the vices and weaknesses of men. It is possible that a judge of the supreme court would not be influenced by the esprit du corps, that he would neither be gratified by the affirmance nor mortified by the reversal of his opinions; but this, sir, is estimating the strength and purity of human nature upon a possible but not on its ordinary scale.

I believe, Mr. Chairman, that in practice, the formation of the supreme court frustrated in a great degree the design of its institution. I believe that many suitors were discouraged from seeking a revision of the opinions of the circuit court by a deep impression of the difficulties to be surmounted in obtaining the reversal of the judgment of a court from the brethren of the judge who pronounced the judgment. The benefit of a court of appeals well constituted is not confined to the mere act of reviewing the sentence of an inferior court, but is more extensively

ascertained by the general operation of the knowledge of its existence upon inferior courts. The power of uncontroulably decision is of the most delicate and dangerous nature. When exercised in the courts it is more formidable than by any other branch of our government. It is the judiciary only which can reach the person, the property, or life of an individual. The exercise of their power is scattered over separate cases, and creates no common cause. The great safety under this power arises from the right of appeal. A sense of this right combines the reputation of the judge with the justice of the cause. In my opinion it is a strong proof of the wisdom of a judicial system when new causes are carried into the court of the last resort. I would say, if it were not paradoxical, that the very existence of a court of appeals ought to destroy the occasion for it. The conscience of the judge, will no doubt, sir, be a great check upon him in the unbounded field of discretion created by the uncertainty of law, but I should in general cases more rely upon the effect produced by his knowledge, than an inadvertent or designed abuse of power was liable to be corrected by a superior tribunal. A court of appellate jurisdiction organized upon sound principles should exist, though few causes arose for their decision; for it is surely better to have a court and no causes, than to have causes and no court. I now proceed, sir, to consider the effects which are plainly discernable, or which have been discovered by practice in the constitution of the circuit courts.

These courts from information which I have received, I apprehend were originally constructed upon a fallacious principle. I have heard it stated that the design of placing the judges of the supreme court in the circuit court, was to establish uniform rules of decision throughout the United States. It was supposed, that the presiding judges of the circuit courts proceeding from the same body would tend to identify the principles and rules of decision in the several districts. In practice a contrary effect has been discovered to be produced by the peculiar organization of these courts. In practice we have found not only a want of uniformity of rule between the different districts, but no uniformity of rule in the same district, No doubt there was an uniformity in the decisions of the same judge, but as the same judge seldom sat twice successively in the same district, and sometimes not till after an interval of two or three years, his opinions were forgotten or reversed before he returned. The judges were not educated in the same school. The practice of the courts, the forms of proceeding as well as the rules of property, are extremely various in the different quarters of the United States. The lawyers of the eastern, the middle, and southern states are scarcely professors of the same science. These courts were in a state of perpetual fluctuation. The successive terms gave you courts in the same district, as different from each other as those of Connecticut and Virginia. No system of practice could grow up, no certainty of rule could be established. The seeds sown in one term scarcely vegitated before they were trodden under foot. The condition of a suitor was terrible—the ground was always trembling under his feet. The opinion of a former judge was no precedent to his successor. Each considered himself bound to follow the light of his understanding. To exemplify these remarks I will take the liberty of stating a case which came under my own observation. An application before one judge was made to quash an attachment in favor of a subsequent execution creditor—the application was resisted upon two grounds, and the learned judge, to whom the application was first made, expressing his opinion in support of both grounds, dismissed the motion. At the succeeding court a different judge presided, and the application was renewed and answered upon the same grounds. The second learned judge was of opinion, that one point had no validity, but he considered the other sustainable, and was about also to dismiss the motion, but upon being pressed at last consented to grant a rule to shew cause. At the third term, a third learned judge was on the bench, and though the case was argued upon its former principles, he was of opinion, that both answers to the application were insufficient, and accordingly quashed the attachment. When the opinions of his predecessors were cited, he replied that every man was to be saved by his own faith. Upon the opinion of one judge, a suitor would set out in a long course of proceedings and after losing much time and wasting much money he would be met by another judge, who would tell him he had mistaken his road, that he must return to the place from which he started, and pursue a different tracks. Thus it happened as to the chancery process to compel the appearance of a defendant. Some of the judges considered themselves bound by the rules in the English books, while others conceived that a power belonged to the court upon the service of a subpœna to make a short rule for the defendant to appear and answer or that the bill should be taken pro confesso. A case of this kind occurred, where much embarrassment was experienced. In the circuit court for the district of Pennsylvania, a bill in chancery was filed against a person, who then happened to be in that district, but whose place of residence was in the North Western Territory. The subpœna was served, but there was no answer nor appearance. The court to which the writ was returned, without difficulty, upon an application, granted a rule for the party to appear and answer at the expiration of a limited time, or that the bill be taken pro confesso. A personal service of this rule being necessary, the complainant was obliged to hire a messenger to travel more than a thousand miles to serve a copy of the rule. At the ensuing court, affidavit was made of the service and a motion to make the rule absolute. The scene immediately changed, a new judge presided, and it was no longer the same court.

The authority was called for to grant such a rule; was it warranted by any act of congress, or by the practice of the state? It was answered there is no act of congress, the state has no court of chancery. But this proceeding was instituted and has been brought to its present stage, at considerable expence under the direction of this court. The judge knew of no power the court had to direct the proceeding, and he did not consider that the complainant could have a decree upon his bill without going thrdug the long train of process found in the books of chancery practice. The complainant took this course, and at a future time was told by another judge, that he was incurring an unnecessary loss of time and money, and that a common rule would answer his purpose. I ask you, Mr. Chairman, if any system could be devised more likely to produce vexation and delay? Surely, sir, the law is uncertain enough in itself, and its paths sufficiently intricate and tedious, not to require that your suitors should be burthened with additional embarrassments by the organization of your courts.

The circuit is the principal court of civil and criminal business; the defects of this court were therefore most generally and sensibly felt. The high characters of the judges at first brought suitors into the courts, but the business was gradually declining, though causes belonging to the jurisdiction of the courts were multiplying, the continual oscillation of the court baffled all conjecture as to the correct course of the proceeding, or the event of a cause. The law ceased to be a science. To advise your client it was less important to be skilled in the books than to be acquainted with the character of the judge who was to preside. When the term approached, the enquiry was, what judge are we to have? What is his character as a lawyer? Is he acquainted with chancery law? Is he a strict common lawyer, or a special pleader?

When the character of the judge was ascertained, gentlemen would then, considering the nature of their causes, determine whether it was most advisable to use means to postpone or to bring them to a hearing.

The talents of the judges rather encreased the evil, than afforded a corrective for the vicious constitution of these courts. They had not drawn their knowledge from the same sources. Their systems were different, and hence the character of the court more essentially changed at each successive term. These difficulties and embarrassments banished suitors from the court, and without more than a common motive, recourse was seldom had to the federal tribunals.

I have ever considered it also, as a defect in this court, that it was composed of judges of the highest and lowest grades. This, sir, was an unnatural association; the members of the court stood on ground too unequal, to allow the firm assertion of his opinion to the district judge. Instead of being elevated, he felt himself degraded by a seat upon the bench of this court. In the district court he was every thing, in the circuit court he was nothing. Sometimes he was obliged to leave his seat, while his associate reviewed the judgment which he had given in the court below. In all cases he was sensible that the sentences in the court in which he was, were subject to the revision and controul of a superior jurisdiction, where he had no influence, but the authority of which was shared with the judge with whom he was acting. No doubt in some instances the district judge was an efficient member of this court, but this never arose from the nature of the system, but from the personal character of the man. I have yet, Mr. Chairman, another fault to find with the ancient establishmem of the circuit courts. They consisted only of two judges, and sometimes of one. The number was too small, considering the extent and importance of the jurisdiction of the court. Will you remember, sir, that they hold the power of life and death, without appeal. That their judgments were final over sums of 2000 dollars, and their original jurisdiction restrained by no limits of value, and that this was the court to which appeals were carried from the district court.

I have often heard, sir, that in a multitude of council, there was wisdom, and if the converse of the maxim be equally true, this court must have been very deficient. When we saw a single judge reversing the judgment of the district court, the objection was most striking, but the court never had the weight which it ought to have possessed and would have enjoyed had it been composed of more members.

But two judges belonging to the court an inconvenience was sometimes felt from a division of their opinions. And this inconvenience was but poorly obviated by the provision of the law that in such cases the cause should be continued to the succeeding term, and receive its decision from the opinion of the judge who should then preside.

I do not pretend, Mr. Chairman, to have enumerated all the defects, which belonged to the former judicial system. But I trust those which I have pointed out, in the minds of candid men, will justify the attempt of the legislature to revise that system and to make a fairer experiment of that part of the plan of our constitution which regards the judicial power. The defects, sir, to which I have alluded, had been a long time felt and often spoken of. Remedies had frequently been proposed. I have known the subject brought forward in congress or agitated in private ever since I have had the honor of a seat on this floor. I believe, sir, a great and just deference for the author of the ancient scheme, prevented any innovation upon its material principles, there was no gentleman who felt that deference more than myself, nor should I have hazarded a change upon speculative opinion. But practice had discovered defects which might well escape the most discerning mind in planning the theory. The original system could not be more than experiment; it was built upon no experience. It was the first application of principles to a new state of things. The first judicial law displays great ability, and it is no disparagement of the author, to say its plan is not perfect.

I know, sir, that some have said, and perhaps not a few have believed, that the new system was introduced not so much with a view to its improvement of the old, as to the places which it provided for the friends of the administration. This is a calumny so notoriously false, and so humble as not to require nor to deserve an answer upon this floor. It cannot be supposed that the paltry object of providing for 16 unknown men could have ever offered an inducement to a great party, basely to violate their duty; meanly to sacrifice their character; and foolishly to forego all future hopes.

(Speech to be continued.)

MONDAY, April 5.

The amendments proposed to the Post-Office bill were gone through, and the bill order to a third reading to morrow. The amendments of the Senate to the Naturalization Bill were read and referred to a select committee.

They are principally confined to the reinstatement of several of the provisions of the act of 1795.

The amendments of the Senate to the bill for the relief of Samuel Dexter were read, and agreed to—Yeas 49.

Instead of allowing Mr. Dexter a *per diem* allowance while engaged in defending the suit instituted against him, they authorize an advance of 500 dollars, to be accounted for.

A bill from the Senate for the better securing of public property in the hands of public agents, was read a second time.

Mr. BAYARD stated the great inconvenience which, in his opinion, would arise from the provisions of this bill; one of which made the bonds given by public agents a lien on the landed property, the existence of which bonds, not being entered of record, could not be known to the purchaser. Mr. B. stated further reasons, which induced him to move a reference of the bill to a select committee.

After a short discussion the question of reference obtained.

Mr. Emendorf reported a bill for the relief of Theodosius Fowler, which was read twice, and referred to a committee of the whole to morrow.

Mr. GRISWOLD offered a resolution instructing the Secretary of State to report to the house whether the 32,000 dollars laid out for the repairs of the corvett Berceau were expended for the purpose of equipping her for the service of the United States, or for the purpose of delivering her to the French republic, in the good order stipulated in the convention.

A debate of considerable length ensued (which we shall give in course) which continued, without a decision being had, until the house adjourned.

The motion was supported by Messrs. Griswold, Bayard and Dana, and opposed by Messrs. S. Smith, Giles, Randolph, Bacon, Smilie and Nicholson.

Those who advocated the motion contended that official knowledge of the *fact* called for by the resolution was important, in order to enable the house to ascertain whether the sum expended by the executive was warranted by any legal appropriation.

Those who opposed the motion contended that while the house had a right to all the information respecting facts in the possession of the executive, which the discharge of the public service required, they had not a right to call upon executive officers for their *motives* of action, as in the present instance; that as to facts they were all before the house already.

After considerable discussion, the resolution was so modified as apparently to coincide with the general, though not the undivided sense of the house, when, however, an adjournment was called for and carried.

TUESDAY, April 6.

A bill for the relief of Paolo Paoli, and the bill to establish and alter certain post roads, were read a third time and passed. A message from the President stated his having signed the act to repeal the internal taxes.

Mr. GRISWOLD withdrew his motion, made yesterday, respecting the Berceau, for the purpose of introducing in its stead, one more conformable to the opinion of the House.

It was substantially that the President of the United States be requested to direct the proper officer to report to the House whether the sum of 32,839 dollars laid out in repairing the Berceau, was expended after it was determined to deliver up the same to the French Republic under the convention, and to lay before the House all documents relating to the sale, purchase, and repairs of said vessel.

Mr. Davis moved, to postpone the resolution to 3d Monday of November; lost—yeas 4—nays 75.

Mr. Giles moved to strike out that part of the resolution which refers to the *determination* to deliver the Berceau; on which debate ensued, in which Messrs. Giles, Bacon, Davis, S. Smith, Smilie, Elmer, and Holland, supported; and Messrs. Griswold, T. Morris, Lowndes, Bayard, Goddard, and Dana, opposed the amendment, on which the yeas and nays were called—yeas 49—nays 37.

Mr. DANA made a motion to add to the resolution a request, that the President cause to be furnished a statement of the sums paid to the officers and men of the Berceau, and any papers relating thereto which he may think proper to communicate.

Mr. Randolph read a document to shew the information desired was already in the possession of the House.

Mr. Dana withdrew his motion.

Mr. NICHOLSON renewed the amendment, so as to read substantially, that the President cause to be furnished a statement of sums paid to the officers and men of the Berceau, together with all communications between this government, and any authorised agents of the French Republic relative thereto; agreed to. The yeas and nays were then taken on the resolution as amended and were—yeas 76—nays 0.

LONDON, Feb. 17.

House of Commons.

The House went into a committee on the bill for carrying into effect the American treaty. Mr. Vansittart shortly adverted to communications lately received concerning the determination of the American government to take off the countervailing duties, and asserted the expediency of a similar step on the part of this country. He therefore moved that the chairman be instructed to move the house for leave to bring in a bill to suspend the operation of the duties levided under the aforesaid act under certain circumstances, as soon as official intelligence of the resolution of the American government shall be received. This was agreed to, and the report ordered for to-morrow.

February 18.

The Chairman of the committee on the act for carrying into effect the American treaty, moved for leave to bring in a bill to enable his majesty to cause the countervailing duties to be levied under that act to cease, and to be suspended under certain circumstances.

General Gascoigne thought it was highly necessary that the public should be well informed of the nature of this bill, and he hoped therefore there was no intention to push it rapidly through the different stages. He was more disposed to wish this as, from what the right honorable gentleman had himself said there was no immediate necessity for its being speedily passed.

Mr. Vansittart observed, that it was very far from his wish to preclude any necessary inquiries into the nature and object of the bill. He was convinced that the more generally it was known the more it would be seen to be favourable to the commercial interests of the country, and the less would any one be disposed to give it opposition. He begged leave to take this opportunity of correcting a misapprehension of what he had said respecting the determination of the American government. He had not said that the American government had already come to a resolution to repeal the countervailing duties, but merely that a disposition to that effect had been manifested.

The motion was put and carried, and leave given to bring in the bill.

General Gascoigne moved that an account of all vessels which had cleared out from the ports of the United States of America for this country, with the amount of their tonnage, from the 5th day of January, 1799 to the 5th day of July, 1801, together with an account of the three years preceding the 5th Jan. 1793, distinguishing foreign from British ship-

ping, and each year from the other, be laid on the table—ordered.

The honorable general next moved an account of all veſſels which have cleared out from the ports of this country for the ports of the United States within the ſame period, and diſtinguiſhing in the ſame manner, which was alſo ordered.

February 19.

The American treaty bill was read a firſt time, and ordered to be read a ſecond time on Wedneſday.

The Virginia Gazette.

—RICHMOND—

WEDNESDAY, APRIL 14, 1802.

On the 2d inſtant, Mr. Randolph reported from the committee of ways and means, "that it is inexpedient to remit the duties on diſtillation in any caſe whatever." Report agreed to.

The Norfolk Herald of the 10th inſtant ſays, "By an arrival yeſterday from Antigua, we learn that a frigate had arrived there from England. Accounts by her are ſaid to be, that France had refuſed to deliver up Trinidad, and that Lord Cornwallis had been inſtructed to demand a categorical anſwer."

Extract of a letter from **B. Dandridge, eſq.** conſul at Aux-Cayes, dated March 5, 1802.

"From the firſt arrival of the French troops at Port-Republican, Deſſalines had written to general Laplume, who reſides here and commands the South department; that in caſe the French attempted to land troops here, to defend the place as long as he could; but if overpowered to burn the town and kill all the white inhabitants, to deſtroy all the plantations in the neighbourhood, and to retreat to the mountains. It is impoſſible for me to expreſs the gratitude that is due by me and all the Americans reſiding in this department, to our benevolent and humane general Laplume; our lives and fortunes were wholly depending on his will. On receiving the ſavagely cruel mandate from Deſſalines before cited, and before he had received any diſpatches from the French general, he inſtantly, prompted thereto by the native goodneſs of his heart, decided to reſiſt with all his force, the execution of the bloody decrees of Deſſalines, and prepared to oppoſe him, ſhould he bend his courſe this way from Jaquemel. The officers and ſoldiers followed the humane example of their chief, whom they loved and reſpected, and thus we have been ſaved. A few days ſince general Darbois arrived here with ſeven or eight hundred men, from Port-Republican, and every thing is now perfectly tranquil in the South department. Of theſe troops only five hundred will remain here, and the reſt will embark for Jeremie this evening, and general Darbois will go in a day or two. An embargo has been laid on all American veſſels here for a day or two paſt, by order of the captain general Leclerc."

From the New-York Gazette of April 5.

Captain Huſſey, from Port Republican informs, that in the late engagement near St. Marks, (about the 6th March) between the blacks under general Deſſalines, and the troops under Leclerc, about 5000 of the former and 200 of the latter were killed—that among the many French officers who were wounded, gen. Boudet received a ſhot in one foot, gen. Rochambeau one in his hip, and gen. Leclerc had his ſword belt ſhot off. The whites were repulſed, after which the blacks retreated further up the mountain, which, though impenetrable to, was ſurrounded by the French troops, as the paſſage is ſo narrow that only one man can enter at a time. No priſoners are made on either ſide; all are put to the ſword. Leclerc has a regiment of blacks at the head of his army, who always receive the firſt fire from the enemy. Captain H. further informs, that the South part of the iſland was in a ſtate of tranquility.

There were various reports reſpecting the maſſacre of Americans at St. Marks; there was no getting at the truth.

By the Ann, from Marſeilles, we learn, that ſeveral Mooriſh veſſels had been robbed in the Gut by a ſquare rigged pirate. Veſſels had been diſpatched in purſuit of her.

By the ſame veſſel we are informed, that the United States frigate Boſton, captain M'Neil, had ſailed from Barcelona for Toulon to make ſome repairs. Several of her officers being on ſhore when ſhe got under way, were left. Theſe officers had arrived at Marſeilles previous to the Ann's departure, and endeavouring to get a paſſage for Toulon.

Yeſterday morning the Britiſh ſloop of war Pheaſant, with a mail, ſailed from this port for Halifax.

From the Gazette of the U. States.

DEMOCRATIC ECONOMY.

On Thurſday, March 25th, as we learn by letters from Waſhinton, buſineſs was commenced in the houſe of repreſentatives, by a reſolution offered by Mr. Bacon, propoſing that a committee be appointed to enquire whether any and if any what alteration is neceſſary in the laws fixing the compenſation to be received by the members of Congreſs, with leave to report by bill or otherwiſe.

Mr. Bayard moved to amend the reſolution in ſuch a manner as to bring the main queſtion immediately before the houſe, by ſtating that the compenſation of the members of the ſenate and of the houſe of repreſentatives ſhould be fixed at 4 dollars per day.

Mr. Dawſon, the extraordinary, moved to poſtpone the conſideration of the reſolution to the 30th of November next.

Upon this motion a debate of ſome length aroſe, in which Mr. Nicholſon, Mr. Smilie, and general Smith engaged againſt the principle of the reſolution, and Mr. Bacon in favor of it.

Gen. Smith requeſted Mr. Dawſon to withdraw his motion, and he did withdraw it.

Mr. Davis moved further to amend the reſolution by ſtriking out 4 dollars and inſerting 2.

Mr. Giles was againſt the original motion and all the amendments. He thought ſix dollars a day little enough.

Mr. Bacon made another long ſpeech, and declared that his motion and his eloquence were predicated upon true democratic principles, and that if thoſe with whom he had been accuſtomed to act, deſerted him on this occaſion, he would ſtand alone. He concluded by moving further to amend the reſolution by ſtriking out two dollars and inſerting five.

A debate again aroſe, in which the friends of economy took the principal part and oppoſed the reduction, except Mr. Elmer, who thought that five dollars might be enough, but of that he was not confident.

Mr. Claiborne [who wrote the letter about the ſalaries of judges] hoped the queſtion would not be immediately taken. He ſaid this ſtory would be told to the people and it would be ſaid, that they had rejected a propoſition for reducing their own wages. He therefore hoped that the ſubject would be fully diſcuſſed, and that gentlemen would prove to the ſatisfaction of the people, that members of Congreſs could not do with leſs than ſix dollars a day. Mr. Claiborne ſaid he underſtood well enough what was the object for which that propoſition was brought forward—it was popularity. He himſelf, when he was firſt a member, brought forward a reſolution of this kind, and he ſuppoſed it was partly with a view to popularity tho' he did not know why he wanted it—he had as much popularity as he wanted—he had enough to bring him to that houſe and he thought that ſufficient.

After a good deal of debate and more talk, Mr. Smith of Connecticut roſe and moved to refer the reſolution to a committee appointed to enquire what reduction can be made in the civil liſt, of which committee Mr. Bacon is chairman. Mr. Smith ſaid he made this motion to get rid of the buſineſs, which in the courſe it had taken, reflected no honor upon the legiſlature nor upon the country. The reference was agreed to by a very large majority. It was paſt one o'clock when the houſe got rid of this affair and were prepared to take up the buſineſs of the day.

The bill for encreaſing the ſalaries of the executive officers was then taken up. Mr. Smith, of Connecticut, moved the ſame amendment which he had the day before moved in committee of the whole. A debate again enſued, in which the unfairneſs and novelty of the proceeding was urged by the conſtitutional party. The miniſterialiſts acknowledged that the mode aſked for was regular and proper, but pertinaciously refuſed to adopt it. The queſtion on the amendment was taken by yeas and nays and loſt, yeas 37, nays 46.

Mr. Tallmage then moved a reſolution in the following words:

"*Reſolved*, That the ſecretaries of the departments of ſtate, treaſury, war and navy, be and they are hereby reſpectively directed to lay before congreſs the amount of the appropriations made for their ſeveral departments for clerk hire, ſpecifying the perſons, and the ſalaries allowed to each."

Mr. Elmendorf moved to amend by adding the words "from the commencement of the government."—The amendment was carried,

Gen. Smith moved to reconſider the vote, and it was reconſidered, and the amendment was ſtruck out. He then moved to inſert three years and the motion was carried.

No queſtion has been agitated in Congreſs during the preſent ſeſſion, which more evidently manifeſts the *eſprit de corps* of the miniſterial party, and none which they have taken greater pains to diſguiſe, than that lately decided for encreaſing the ſalaries of the executive officers. This party commenced the ſeſſion by flattering the public with profeſſions of a determination to retrench expenditures, and to ſet a rare example to the world of economical management in public affairs. Under this pretence they have deſtroyed the judicial department of the government, reduced the military and naval ſtrength of the nation, taken off the taxes upon pleaſurable carriages, refined ſugar, licences to retailers, &c But when they come to their own wages and the ſalaries of the executive officers, what is the doctrine? Can any reductions be made here? Will theſe patriots, who have told us ſo much about extravaganee of former adminiſtrations, conſent to ſerve us at a leſs price? They are not aſked to do this. All which the conſtitutionaliſts aſk is that they will content themſelves with the ſalaries already eſtabliſhed. Nay more, they ſay to the miniſterialiſts, if you will conſent to name the ſpecific ſums which you are diſpoſed to pay your officers, and ſuffer us to ſuggeſt the alterations which we wiſh to make in one or two of them, we will vote with you in raiſing all the reſt to a ſum equal in value to that which was given in Philadelphia in the begining of the year 1799, when the expences of living were much higher than they now are, and the duties of thoſe officers much more arduous than at preſent; at a place too, in a populous city, where the officers of government were compelled to incur a very conſiderable expence in entertaining company, from which they are now in a great meaſure exempted.

It ought to be obſerved that the conſtitutionaliſts, who were the majority in '99, did not eſtabliſh a permanent encreaſe of the ſalaries mentioned in the law commenced with that year. The increaſe was deſigned to continue only while the exorbitant prices of that day ſhould continue; and they conſequently limited that increaſe to 3 years. There is therefore, an abſurdity upon the face of the bill now paſſed for encreaſing thoſe ſalaries. It enacts, in effect, that the law of '99, ſhould not only be, and continue in force hereafter, but that it *has been* in force from December laſt, when it expired, to this time. This abſurdity was pointed out, but it could not be remedied without introducing the ſpecific ſalaries into the bill, & publiſhing them to the people, and the miniſterialiſts of courſe refuſed to correct it.

One of the ſalaries raiſed by this bill, is the ſalary of the attorney general. The compenſation to this officer was originally 1,500 dollars.—For various reaſons occaſional additions were made till it was increaſed to 2,400. In the year 1797 there was a ſpecial allowance of 600 dollars for ſervices under the Britiſh treaty, raiſing his ſalary to 3,000 dollars. It was allowed on all hands that the ſervices in conſideration of which this addition was granted, are now ceaſed. Unleſs therefore, the miniſterial ſect would allow the items to appear in the bill, ſo that the vote might be taken upon each ſeparately, thoſe who objected to allowing three thouſand dollars to the attorney general, would be compelled to vote againſt the whole, which they did not wiſh to do. All who ſpoke upon the conſtitutional ſide of the houſe, at the final paſſage of the bill, declared that they ſhould not vote againſt it becauſe they thought the ſalaries in general too high, but becauſe they were compelled in ſpite of their arguments and efforts to vote for all or againſt all in a lump. The ſubject had been brought forward in ſuch a way as to preclude all diſcrimination to fetter the mind, and particularly to keep the public in the dark with reſpect to the proceeding. Theſe ſentiments were expreſſed by Mr. Goddard, Mr. T. Morris, and Mr. Tallmage. Several of the miniſterialiſts who were in congreſs when the ſame ſalaries were raiſed before, and whoſe names ſtand on the journals as oppoſed to the meaſure, made their apologies for the contradictory vote which they were about to give. Mr. Claiborne ſaid it was his cuſtom to pay deference to the opinions of thoſe with whom he acted. He formerly thought the ſalaries were too high: but the majority decided againſt him, and he thought it a principle of our government, that what is done by a majority is right. He ſhould therefore vote for the bill.

Mr. Bacon ſaid he ſhould vote for the bill on account of the treatment which his reſolution for reducing the wages of the members of congreſs had met with.

The queſtion on the paſſage of the bill was taken by yeas and nays, on Friday, March 26, and carried, there being 50 in the affirmative.

The following is a liſt of thoſe who voted againſt the law in '99.—Thoſe marked with a ſtar are yet in congreſs and of the miniſterial party.

Albert Gallatin, now ſecretary of the treaſury, with a ſalary of 5000 a year, being 1,500 dollars more than he thought it reaſonable to give his predeceſſor in more expenſive times.

Abraham Baldwin	*David Holmes
David Bard	Walter Jones
*Robert Brown	Mathew Locke
*Samuel J. Cabell	Mathew Lyon
John Chapman	B. M'Clenachan
*Thos. Claiborne	*J. M'Dowell
W. C. C. Claiborne	*Anthony New
*Mathew Clay	John Nicholas
*John Clopton	T. J. Skinner.
*Tho. T. Davis	William Smith
*John Dawſon	Peleg Sprague
Joſeph Eggleſton	Richard Sprigg
Lucas Elmendorf	*Rich. Stanford
William Findley	Tho. Sumter
John Fowler	*Abraham Trigg
James Gilleſpie	*John Trigg
*Andrew Gregg	*P. Van Cortland
*John A. Hanna	*Joſ. B. Varnum
Carter B. Harriſon	Ab. Venable
J. N. Havens	*Robert Williams
*Joſeph Heiſter	

The following is a liſt of the officers whoſe ſalaries are raiſed by the bill lately paſſed, and oppoſite to them in the firſt column are the ſalaries as they ſtood at the commencement of the preſent year, and in the ſecond the ſalaries as fixed by this bill.

	Dolls.	Dolls.
Secretary of the treaſury,	3,500	5,000
Secretary of ſtate,	3,500	5,000
Secretary of War,	3,000	4,500
Secretary of the navy,	3,000	4,500
Comptroller of the treaſury	2,250	3,500
Auditor,	1,500	3,000
Treaſurer,	2,400	3,000
Regiſter,	2,000	2,400
Attorney-general,	2,400	3,000
Commiſſioner of revenue,	2,400	3,000
Accountant of war department,	1,200	2,000
Accountant of navy department,	1,600	2,000
Poſt-maſter general,	2,300	3,000
Aſſiſtant poſt-maſter general,	1,200	1,700
	31,300	45,600
		31,300
Augmentation,		14,300

For the VIRGINIA GAZETTE.

To the self-denominated "PRAGMATIC ISRAELITE,"

'*Its proper power to hurt each creature feels,*
'Bulls *aim their horns—but* Asses *lift their heels.*"

Courageous Sir!

AS the "cap appears to fit," you are extremely welcome to wear it. It is much to be *lamented*, however, that your *superior* talents could not enable you to put a proper conſtruction on the *billet doux* from SPECTATOR, and to have taken it as really intended—*a friendly hint*. To perſevere in error, when convinced, has never been conſidered as indicative of a magnanimous mind; and I readily admit that in ſaying you were "*perpetually* obtruding on the honorable Chairman the ingenious and edifying effuſions of your prolific brain," I was not literally correct; but that you did *unneceſſarily*, and in more than one inſtance, perhaps, excite the *admiration* of the aſſembled citizens who compoſed the meeting, by the *eloquential vociferations* which iſſued forth from your *melliſluent* lips, you certainly will not have the hardihood, the conſummate audacity, callous as you are, to deny. But pray, Mr. *Pragmatic*, what monſtrous offence has Spectator committed, that has induced you, in the plentitude of your ſpleen, to *compliment* him with ever degrading epithet that your "prolific brain" could think of? Is obloquy to be attached to a man's character because he has *dared*, unappalled by the *towering* and *terrific* ſtature of a certain *redoubtable Herculean hero*, to expreſs an opinion of the ridiculous appearance a perſon of unuſual *taciturnity* has made at a public meeting? Was it not the blackeſt ingratitude in you to return the foulest abuſe for a friendly admonition which it was hoped would be of infinite benefit to you? Fie! fie! Mr. *Pragmatic*, ſuch black ingratitude, ſuch baſe illiberality, renders you contemptible indeed!

It is a duty incumbent on me to declare, that in uſing the term *Iſraelite*, no odium whatever was intended to be attached to that particular ſect.

I now, in turn, take my final leave of you. I have a wide and extenſive field before me wherein I might with truth and propriety reciprocate moſt cordially the *honorable* epithets which you have applied to the "anonymous ſcribbler." But, ſir, I pity rather than reſent your malevoſence. You have already immortalized your name; your integrity is unblemiſhed; your veracity is unimpeachable!

SPECTATOR.

New-York, April 5.

The following is tranſlated for the Mercantile Advertiſer, from an order iſſued by general Le Clerc, at Port-Republican, on the 4th ult.

The adminiſtration of the cuſtoms is provilorily maintained in the ſouth and weſt departments. The duties ſhall there continue to be collected, as formerly, with the following exceptions.

From the 10 Ventoſe, to the 10 Prairial, year 10 (1ſt March to the 30th May, 1802.) The following articles are declared to be exempted from the importation duty and ſhall be received free from duty in all the ports of the colony, viz.—Flour, ſhipbread, ſalted meat, medicines, houſe timber and wines.

After that period theſe articles ſhall be ſubjected to the duties formerly impoſed. All other produce not in the foregoing exception, ſhall continue to pay the eſtabliſhed duties.

Head-quarters, at Port-Republican, 13 Ventoſe (4th March) 10th year of the French republic.

(Signed) LE CLERC.

True Copy, Dugna, general of diviſion, chief of the ſtaff of the army.

Capt. Huſſey, from Port Republican, informs us, that the ſooner Mechanic, Renney, of Middletown, was in St Marks at the burning of that place by the negroes, and taken poſſeſſion of by the French, but delivered up to the captain on demand, after being pilliged of every thing.—Captain Renney aſſured him that the brig Phœbe and Polly, of Wilmington. Guyer, laſt from Jamaica, was lying in the harbor of St. Marks, and that captain Guyer, after being robbed of his money, was, with his crew, murdered upon the mountains by the negroes.

Captain Huffey further informs, that five days previous to his leaving Port-Republican, a frigate arrived from St. Marks with 240 ſoldiers wounded in a battle between the whites and negroes, who were poſted at Mount Punot in a fort extremely well fortified, from whence it is thought it will coſt much bloodſhed to diſlodge them. An officer who commanded a company of whites in the engagement, informed him that 40 officers were wounded, amonſt whom were generals Boudet and Dugua, and moſt of the ſtaff officers; that gen. Le Clerc had his faith ſhot through, that after four hours well directed fire on both ſides they were obliged to retreat. Some of the officers informed, that in paſſing a place called Venet, they were obiged to march through a ſwamp, in which they counted upwards of 400 bodies of white inhabitants who had been murdered by the negroes; that on their arrival near the Fort they ſaw a number of their own ſoldiers taken priſoners; and that, gaining on the blacks, they would have retaken them, but the latter maſſacred the whole and retreated into the Fort. Touſſaint was not there in perſon; but Deſſalines and the greater part of the army were. Every thing was very tranquil at Fort-Republican. A few days previous to captain Huſſey's ſailing, a brig arrived direct from London, which place ſhe left about the 1ſt of February.

HAY.

THE gentlemen of Richmond and Manchester are reſpectfully informed, that they may be ſupplied with HAY at 5*s.* and BLADES at 6*s.* per 100 lbs. delivered at my Plantation at the Meadow Bridges, eight miles from Richmond.

James Govan.

April 8th, 1802.

The Subſcriber has a convenient

Brick Ware-Houſe,

ON the back ſtreet, leading from the Canal Baſon to Shockoe creek, where he will receive for STORAGE, Tobacco, Wheat, Flour, and other country produce. He will alſo pay ſtrict attention to any COMMISSION BUSINESS which he may be favored with.

Near to the ſaid Warehouſe, there is a convenient

Dwelling Houſe,

to be RENTED, and poſſeſſion given on the firſt day of June next.

James Innes.

Richmond, April 14, 1802. ep 4w

Straw Bonnets.

Mrs. Davidſon,

Has juſt received, an elegant aſſortment of

Leghorn & Straw Bonnets

With Straw Trimmings, and faſhionable Wreaths.

April 14th, 1802.

The famous and complete Horse

STIRLING,

(Never beaten but once, and then by accident)

WAS imported from London by the subscriber, and extraordinary to relate, he won a king's plate at 4 years old, and another at five. He was considered while running, by Mr. Weatherby, the author of the Racing Calendar, and clerk of the course at New-Market, (as will appear by a letter from that gentleman to be, if not the first, undoubtedly the second horse in England. The celebrated horse Hambletonian, (supposed by some to be his superior, and the first horse then on the British turf paid him a forfeit of 500 guineas, on a match over the Beacon course, (4 miles one furlong and one hundred and thirty eight yards) for 1000 guineas; Stirling was among the best racers that ever appeared in England, having won seven races out of twelve, and when beaten, was undoubtedly the best horse that started, as he ran considerably off the course, and even then came in third.

STIRLING is a most beautiful bay horse, and descended from the best stock in England, as will appear from his pedigree below: he is upwards of fifteen hands and an half, in very high form, extremely gay, with great strength and activity, and is a most capital stallion. Perhaps it may not be amiss to observe, that Stirling's racing was generally four miles, and with the best horses then on the turf; and in order to prove him a horse of great speed, I beg leave to refer the gentlemen of the turf to the 6th volume of the Sporting Magazine, page 302 and 303, where speaking of the velocity of the Barb horses, and comparing them with the English horses, the following extract follows in page 303: "It is accordingly said, that the famous running horse Stirling, sometimes ran the first mile [of the New-Market course] in one minute, which is at the rate of 82 feet and an half in a second, an inconceivable swiftness, even supposing it a little exaggerated, as is probable it was; but for further satisfaction, we find it confirmed by Dr. Maty. If such a velocity had continued some seconds, it might have been fairly pronounced, that the horse went swifter than the wind, it being very seldom the most violent wind makes such way. The greatest known velocity of a ship at sea is six marine leagues in an hour, and supposing the ship to take the third of the velocity of the wind which impressed it, the speed of that wind would not amount to 80 feet in one second." The subscriber does not pretend to say but the above account may be exaggerated, yet from a fair construction of the extract taken from the Sporting Magazine, he concludes that Stirling was selected as the fleetest horse in England, to compare his speed with that of the Barb horses.

In 1794, Stirling, then three years old, won a match of 100 guineas each, at Alcot, beating Mr. Crosby's Victory [this was the first time he started.] He afterwards won at Egham, the Magna Charta stakes of 20 guineas each, 15 subscribers, beating with ease Mr. Durand's Play-or-Pay, and three others. In 1795, when the property of E.H. Delme, esq. he won a 50l plate at New-Market, Duke's Course, four miles, beating Lord Strathmore's Horatia, Lord Grosvenor's Lilliput, and Mr. Girdler's Bishop Blaze. He won the Jockey Club plate for four years old, [Round Course] four miles, beating the Duke of Grafton's Minion, Lord Clermont's Repeator, and Lord Grosvenor's Capsicum. He received forfeit of 75 guineas from Mr. Rutten's filly at Epsom, and won the king's plate at Ipswich. In 1796 he won at New-Market the second class of the Oatland stakes, beating Mr. Wilson's Caustic, Lord Grosvenor's bay colt by Potfos out of String, Mr. Bott's Totteridge, the Duke of Bedford's Brass, Lord Egremont's Fractious, and Lord Darlington's Albourne. He afterwards ran with the winners of the other two classes, for the main of the Oatlands, which he also won, beating Lord Tichfield's Viret, and Lord Grosvenor's Lilliput. The same year he won the king's plate at Burford, beating Mr. Bott's Totteridge. In 1797, Stirling beat Lord Sackville's Kitear a match at New-Market for 300 guineas each; received forfeit from sir Henry Vane Tempest's Hambletonian, in a match over the Beacon course for 1000 guineas, half forfeit; won a sweepstakes of 100 guineas each, [seven subscribers] beating Lord Darlington's St. George, and others, Duke's Course, [four miles.] He was lamed before his next engagement, and has not started since.

The above horse will stand the ensuing season, which will commence on the first day of March next, and end the first day August following] at the Bowling Green, and will cover mares at Three Guineas the leap, to be paid at the stable door, or or Six Guineas the season, and Ten Guineas to insure a mare to be with foal, with One Dollar to the Groom, the money in every instance to be paid before the mares are removed. Good pasturage, GRATIS, with an addition of 600 acres, to what the subscriber had last year; servants who attend their mares will be boarded at 10/ a week, which expence it is recommended to gentlemen to save, as they may be assured they are of but little use. Grain will be furnished at the market price, for which the money must be sent, and the greatest attention will be paid to the mares, but no responsibility for accidents or escapes: Notes for Six Guineas the season, and for Ten Guineas to insure, will be expected with the mares.

JOHN HOOMES.

Bowling-Green, Feb. 1st, 1802. 1aw12w.

PEDIGREE.

I hereby certify, that STIRLING was bred by me, and was got by Volunteer, [one of the best sons of Eclipse] his dam Harriet by Highflyer, his grand dam by Young Cade; his great grand dam Childerkin by Second, out of the dam of Old Snap; she was got by Fox, her dam Gipsey, by Bay Bolton, grand dam by the Duke of Newcastle's Turk, Byerly Turk, Tafolet, Barb, Place's White Turk, out of a natural Barb mare.

THOMAS STIRLING.

The celebrated running Horse

Cormorant,

Will stand the ensuing season at the Bowling Green, to cover fifty Mares only, besides a part of his owner's at TEN POUNDS each, and One Dollar to the Groom. With this condition, if the money is paid by the 10th of August next, any mare failing to prove with foal, may go the next season, *gratis*; and should the death or removal of the horse prevent a colt then, the money shall be returned, provided the mare remains the property of the person who put her to horse. The sooner gentlemen engage their mares the better, as not a single one over the above number will be taken in. CORMORANT was a winner 19 times against the best horses in England, has been frequently advertised and a full account of his racing given: suffice it *now* to say, that he is in high health and condition; that a very great proportion of the mares covered by him last season are in foal, and those that failed [if any] may be sent again this season, *gratis*, if the owners of them who have not paid me, will do it by the 1st of May next: those that have paid are settled. CORMORANT has been a capital racer, is a very beautiful horse, has more of the true Arabian blood than any horse in America, and his stock are remarkably handsome and active. If gentlemen prefer it, their mares may be covered at Five Guineas the season, without any condition.

JOHN HOOMES.

Bowling-Green, Feb. 1, 1802.

PEDIGREE.

"I do certify, that CORMORANT was bred by me, and got by Woodpecker; his dam Nettletop, by Squirrel, his grandam by Bajazet; great grandam by Regulus; great, great grandam by Londale's Arabian; his great, great, great grandam by Darley's Arabian; his great, great, great grandam by the Byerly Turk; his great, great, great, great, great grandam by the Tafolet Barb; his great, great, great, great, great grandam by Place's White Turk, out of a natural Barb mare.

"The above is so valuable a horse, both on account of his speed and blood [which is the best in England] that I am sorry he is about to leave the country.

[1aw12] "EGREMONT."

Sales at Vendue,

By PROSSER & MONCURE.

On Monday the 3d day of May next, (the day preceding the Richmond Races,) at 10 o'Clock, A. M. on the premises, viz:

ONE SQUARE, of four half Acre Lots, on one of which are erected, the most convenient and desirable BUILDINGS in this city—the present residence of the subscriber.

Five other Lots between the Bason and the River, severally improved, viz: A two story dwelling house, with stables, garden, and offices complete.

Another comfortable dwelling House; Stables, Garden and Offices above.

Another smaller detached dwelling house, with garden only.

A Store-House, now under rent for 150 dollars per annum; and one fifth, containing only a small stable for three horses, and carriage house.

With the view of affording a better estimate of this very valuable property, further information may be gained upon application to the Auctioneers.

The terms of sale will be, one fifth paid down, or on a credit of 60 days; the balance in four equal semi annual instalments satisfactorily secured; on interest from the date, if not punctually paid.

Possession, and a clear legal title, will be given, to the entire accommodation of the parties concerned.

D. M. RANDOLPH.

Richmond, Feb. 12, 1802. cotds.

Wanted as a Tutor,

IN a private family, a person who is capable of teaching the English and Latin Languages, also writing and arithmetic. Such a one who can come well recommended, as to his sobriety and good demeanor will meet with generous encouragement. Apply to the printer hereof.

Feb. 15, 1802.

SPORTS OF THE TURF!

NEW-MARKET.

In consequence of the elections in the different counties in this state coming on the 27th day of April, at which time the New-Market Races are advertised, and from a desire of many gentlemen of the turf also, I am compelled to alter the same to the third Wednesday in May, at which time they will certainly commence, agreeable to the former tenor, viz:

FIRST day, a Sweepstakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This subscription will be kept open until the 15th day of April, and no longer. Entrance to be made by letter or personal application to the subscriber. Should more than six start, the entrance money of the second best will be returned.

Second day, a purse of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore established.

Third day, a purse of 200 dollars will be run for, two mile heats, entrance 15 dollars.

And the fourth day, a Sweepstakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This subscription will be closed the evening of the third day's race; and if five or more nags start, the entrance money of the second best will be returned.

Good Stables and litter furnished for race horses GRATIS.

STIRLING GARY,
Keeper of the Course.

February 14, 1802.

THE Subscriber having taken the above Course for two years, has furnished himself with good beds, as well as stables, together with officers and servants of a proper description; also, liquors of a superior quality. He flatters himself from his experience, and a desire to please, in the above business, to give general and complete satisfaction.

STIRLING GARY.

Genessee.

For Sale, all the Subscriber's

MILLS, HOUSES, and improved FARMS,

In the counties of Ontario and Steuben, in the state of New-York.

TO meet the views of the numerous applicants for this valuable property, and to give an opportunity of acquiring it on fair and equal terms, the subscriber offers it for sale at Public Auction, on Wednesday the 15th day of June next, at Powell's Hotel in Geneva, on the favourable terms of one sixth Cash, and the remainder payable in six annual payments with lawful interest.

The mills are situated at Hopeton, Lyons, Sodus, Genneffee Falls, Caledonia, Hemlock-Lake, Painted-Post, Bath and Canisteo, several of which are merchant mills, and of the greater part of them are erected on the navigable waters leading to Montreal, Albany, and Baltimore.

The houses are situated in Bath, Painted Post, Hopeton, Geneva, Lyons and Sodus, and the improved farms are in the neighbourhood of these towns. All of which will positively be sold, except the house and farm occupied by the subscriber, near Bath.

CHARLES WILLIAMSON.

Bath, February 1, 1802.

Lands and Negroes

FOR SALE.

BY VIRTUE of a Deed of Trust made to the subscribers by *Benjamin Toler, Thomas Hooper,* and *Henry Toler, jun.* to satisfy a judgment of Henrico court, obtained by Henry S. Shore, as attorney in fact for the late house of William Anderson & Co. of London, will be sold, at the court house, on Wednesday the 7th day of April next, being court day, at public auction, for ready money, the following

Tracts of Land,

Belonging to the said THOMAS HOOPER, to wit:

One Tract containing eight seven and a half acres, more or less; one other tract of 107 acres; one other tract of 50 acres; one other tract of 7 acres, and one other tract of 75 acres, more or less. The four first tracts of Land adjoin each other, and are within about three miles of Hanover-Town, in Hanover county, and adjoin the lands of William Hundley, John Haw, Thomas Green, Jeremiah Hooper, and others. The last mentioned tract lies in Henrico county, about 5 miles below the city of Richmond, and is the same which the said Hooper bought of Dabney Miller. Also

59 Valuable Slaves,

among which are two good Blacksmiths and a Cooper.

Charles Copland,
Charles Johnston, } Trustees.

Richmond March 16, 1802.

CASH
GIVEN FOR
TOBACCO,

AT the second house below the Eagle Tavern, by

John Richard, & Co.

Richmond, Nov. 19, 1801.

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glasgow,

A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the present approaching Season, which they FOR SALE on moderate terms.

CUCHANAN & POLLOK,
Of Petersburg, and
ROBERT POLLOK & Co.
Of Manchester,

Are also now opening their Supplies of FALL AND WINTER GOODS

Richmond, October 8, 1801.

Old Dare-Devil

STANDS at my house in Chesterfield county on Appomatox river, fifteen miles above Petersburg, ten from the court house, and will cover mares by the season at Thirty-Five Dollars, ten of which will be remitted, if paid by the 10th of August, when the season expires. Mares may be fed with grain at twenty-five cents per day, which must be paid before they are taken away.—It is needless to swell this advertisement with his pedigree and performance, as they have been so often ascertained heretofore—Undoubtedly he was as fleet a horse as any in England in his day—as to his blood, it is from the first crosses; that is, Herod and Eclipse. Dare Devil's get speaks for themselves, as they are the best racers on the continent, which was made manifest by their run last fall. They won at Richmond, Petersburg, New-Brunswick, Hick's-Ford, Norfolk, Warrington and Tarborough, besides at many other places. No responsibility for accidents.

THOMAS GOODE.

February 12, 1802.

N. B. One Dollar to the groom.

FOR SALE,
SHERRY WINE,

Of a superior quality, in quarter casks, for cash, or on 60 or 90 days credit, for approved Notes.

Pickett, Pollard & Johnston.

March 22, 1802.

Patent Balances.

THE patentee of this very useful invention (which unites the accuracy of scales to the conveniency of steelyards) has sent a few pair to the subscriber, for sale.

They are of different sizes, weighing from a quarter of a pound to one hundred, from one pound to three hundred, and from ten pounds to three thousand weight. They are found to answer all the purposes of weighing with the greatest precision; insomuch that they are used generally in Boston, not only by the merchants, but at the custom-house, and by all the public officers of the state of Massachusetts, their use being authorized by an act of that Legislature. From experiments made here they are found to be correct by the standard, which together with their convenience must give them a great preference to any thing of the kind now in use.

E. W. ROOTES.

March 8, 1802.

William Temple,

Has Imported by the latest arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

Which he will dispose of low, by the PIECE OR PACKAGE.

He has also just received the following Articles, for sale.

5 PIPES,
10 Hogsheads,
8 Qr. Casks,
} Genuine Old Port WINE.

3 Pipes Medeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
16 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.

Richmond, Nov. 30, 1801.

KNOWSLEY,

The most elegant and high formed English Horse, 15 hands 3 inches high, a fine bay, 6 years old last May, in great perfection, and as to muscular strength and beauty not inferior to any horse in the state, which will be readily acknowledged by those who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemish—will stand at my stable on *Sandy Point* the present season, and will cover Mares at SIX GUINEAS, which may be discharged by the payment of TWENTY DOLLARS on or before the 10th day of August next: TEN GUINEAS to insure a colt, and THREE by the Leap, with One Dollar to the Groom at the stable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and pasturage supplied *gratis*, equal in extent and goodness (if not superior) to any in the commonwealth, and laid out in different apartments, so as to suit Mares in foal, those that have foals, and all others. Here gentlemen will find it greatly to their interest to avail themselves of such advantages, independent of the high consideration of raising horses from so fine a stock. This horse has cost me on landing in this country upwards of seven hundred pounds sterling, which can be seen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes me he could have sold him for 170 Guineas more than the original purchase, which evidently proves the high estimation he was in.

Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, "that the bay horse called KNOWS-"LEY, late the property of the Prince "of Wales, was bred by me. He was "got by Sir Peter Teazle, out of Capel-"la, and was six years old last May, and "no more.

(Signed) "DERBY. [Seal.]

"Knowsley, June 15, 1801."

CAPELLA was bred by general Parker, foaled in 1773, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See same book, page 182. Highflyer was got by Herod—See page 201—And so on he may be traced through a noble line of ancestors for ages past, without a single flaw in his genealogy, either on the male or female side.

This extraordinary horse ran often with great credit at two years old, and at three proved successful; and so continued until the last of the year 1800. In 1801 he was purchased for me, and sent to Virginia.—In 1798 he won a sweepstakes of 20 guineas each, for three year olds, 8 subscribers, once round the ground, beating Mr. Pierce's b. c. by Walnut, Sir H.T. Vane's Push forward, Sir H. Williamson's Stripling, Mr. Fletcher's g c. Camperdown, Mr. G. Crompton's c. Basto, and Lord A. Hambilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He also won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowsley, who was then Mr. Field's property. See Calendar for 1798. He also won a sweepstake for three year olds, beating Mr. Garforth's b. c. by Spadille, and Lord A. Hamilton's b. c. by Spadille. See Calender for 1799.

In May, 1799, York. On Tuesday May 28, a sweepstakes of 20 guineas each, (7 subscribers) then the property of Mr. Walker, was won by Knowsley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gascoigne's Maid of the Mill, and John Robinson's b. c. Abraham Newland. On Thursday the 30th following, he also won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old. Lord Belhaven's ch. h. Master Robert; 6 years old, Mr Wentforth's Barnaby, and Mr. J. Anson's gr. h. Little Scot, 5 years old.—See Calender for 1799.

IN June, 1800, (Guildford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas—10 stone 4 lbs. four mile heats, and beat Lord Donegall's b. h. by Pot 8 o's.—See Calendar for 1800, page 35.

Winchester, July 8. His Majesty's Plate of 100 guineas was run for and won by Knowsley, beating Lord Donegall's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Asparagus, 5 years old, 6 to 4 on Knowsley.

Lewes, August 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowsley, beating Lord Donegall's ch. c. Flugleman; four to one on Knowsley. Thursday following he one a subscription of 10 guineas each, beating Mr. Durand's Belleflima, and Mr. Ladbroke's Humbug. See Calendar for 1800—78 & 79.

Litchfield, on Thursday September 9, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 stone 7lbs. beating Mr. Heming's b. h. Floro, ten to one on Knowsley.

Notwithstanding these evidences of Knowsley's superior worth, yet it is my wish that gentlemen should be still further satisfied by a personal view of him; it is also my desire that those who are inclined to speak and act candidly, would visit me in the Spring, and take a ride over the pastures, that they may be satisfied that nothing here asserted is exaggerated.

WILLIAM LIGHTFOOT.

February 1, 1802.

N. B. I will not be answerable for involuntary escapes or accidents.